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HOUSE BILL 403

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Ron Godbey

AN ACT

RELATING TO MOTOR VEHICLES; INCREASING FINES FOR SPEEDING BY  
VEHICLES WEIGHING OVER TWENTY-SIX THOUSAND POUNDS GROSS  
VEHICLE WEIGHT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-8-116 NMSA 1978 (being Laws 1978,  
Chapter 35, Section 524, as amended) is amended to read:

"66-8-116. PENALTY ASSESSMENT MISDEMEANORS-  
DEFINITION--SCHEDULE OF ASSESSMENTS. --

A. As used in the Motor Vehicle Code, "penalty  
assessment misdemeanor" means violation of any of the  
following listed sections of the NMSA 1978 for which the  
listed penalty assessment is established:

COMMON NAME OF OFFENSE	SECTION VIOLATED	PENALTY ASSESSMENT
Permitting unlicensed		

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1	minor to drive	66- 5- 40	\$ 10. 00
2	Failure to obey sign	66- 7- 104	10. 00
3	Failure to obey signal	66- 7- 105	10. 00
4	Speeding	66- 7- 301	
5	(1) up to		
6	and including ten		
7	miles an hour		
8	over speed limit <u>for:</u>		[ <del>15.00</del> ]
9	<u>(a) vehicles twenty-six thousand</u>		
10	<u>pounds gross vehicle weight</u>		
11	<u>and under</u>		<u>15. 00</u>
12	<u>(b) vehicles over twenty-six thousand</u>		
13	<u>pounds gross vehicle weight</u>		<u>500. 00</u>
14	(2) from eleven up to		
15	and including fifteen		
16	miles an hour		
17	over speed limit <u>for:</u>		[ <del>30.00</del> ]
18	<u>(a) vehicles twenty-six thousand</u>		
19	<u>pounds gross vehicle weight</u>		
20	<u>and under</u>		<u>30. 00</u>
21	<u>(b) vehicles over twenty-six thousand</u>		
22	<u>pounds gross vehicle weight</u>		<u>650. 00</u>
23	(3) from sixteen up to		
24	and including twenty		
25	miles an hour over		

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1	speed limit <u>for:</u>	[ <del>65.00</del> ]
2	(a) <u>vehicles twenty-six thousand</u>	
3	<u>pounds gross vehicle weight</u>	
4	<u>and under</u>	<u>65.00</u>
5	(b) <u>vehicles over twenty-six thousand</u>	
6	<u>pounds gross vehicle weight</u>	<u>1000.00</u>
7	(4) from twenty-one up to	
8	and including twenty-five	
9	miles an hour	
10	over speed limit <u>for:</u>	[ <del>100.00</del> ]
11	(a) <u>vehicles twenty-six thousand</u>	
12	<u>pounds gross vehicle weight</u>	
13	<u>and under</u>	<u>100.00</u>
14	(b) <u>vehicles over twenty-six thousand</u>	
15	<u>pounds gross vehicle weight</u>	<u>1,350.00</u>
16	(5) from twenty-six up to	
17	and including thirty	
18	miles an hour over the	
19	speed limit <u>for:</u>	[ <del>125.00</del> ]
20	(a) <u>vehicles twenty-six thousand</u>	
21	<u>pounds gross vehicle weight</u>	
22	<u>and under</u>	<u>125.00</u>
23	(b) <u>vehicles over twenty-six thousand</u>	
24	<u>pounds gross vehicle weight</u>	<u>1,600.00</u>
25	(6) from thirty-one up to	

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1	and including thirty-five		
2	miles an hour over the		
3	speed limit <u>for:</u>		[ <del>150.00</del> ]
4	<u>(a) vehicles twenty-six thousand</u>		
5	<u>pounds gross vehicle weight</u>		
6	<u>and under</u>		<u>150.00</u>
7	<u>(b) vehicles over twenty-six thousand</u>		
8	<u>pounds gross vehicle weight</u>		<u>1,800.00</u>
9	(7) more than thirty-five		
10	miles an hour over the		
11	speed limit <u>for:</u>		[ <del>200.00</del> ]
12	<u>(a) vehicles twenty-six thousand</u>		
13	<u>pounds gross vehicle weight</u>		
14	<u>and under</u>		<u>200.00</u>
15	<u>(b) vehicles over twenty-six thousand</u>		
16	<u>pounds gross vehicle weight</u>		<u>2,300.00</u>
17	Unfastened safety belt	66- 7- 372	25.00
18	Child not in restraint device		
19	or seat belt	66- 7- 369	25.00
20	Minimum speed	66- 7- 305	10.00
21	Speeding	66- 7- 306	15.00
22	Improper starting	66- 7- 324	10.00
23	Improper backing	66- 7- 354	10.00
24	Improper lane	66- 7- 308	10.00
25	Improper lane	66- 7- 313	10.00

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1	Improper lane	66- 7- 316	10. 00
2	Improper lane	66- 7- 317	10. 00
3	Improper lane	66- 7- 319	10. 00
4	Improper passing	66- 7- 309 through 66- 7- 312	10. 00
5	Improper passing	66- 7- 315	10. 00
6	Controlled access		
7	violation	66- 7- 320	10. 00
8	Controlled access		
9	violation	66- 7- 321	10. 00
10	Improper turning	66- 7- 322	10. 00
11	Improper turning	66- 7- 323	10. 00
12	Improper turning	66- 7- 325	10. 00
13	Following too closely	66- 7- 318	10. 00
14	Failure to yield	66- 7- 328 through 66- 7- 332	10. 00
15	Failure to yield	66- 7- 332. 1	25. 00
16	Pedestrian violation	66- 7- 333	10. 00
17	Pedestrian violation	66- 7- 340	10. 00
18	Failure to stop	66- 7- 341 through 66- 7- 346	10. 00
19	Passing school bus	66- 7- 347	100. 00
20	Failure to signal	66- 7- 325 through 66- 7- 327	10. 00
21	Failure to secure load	66- 7- 407	100. 00
22	Operation without oversize-		
23	overweight permit	66- 7- 413	50. 00
24	Improper equipment	66- 3- 801	10. 00
25	Improper equipment	66- 3- 901	20. 00

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1	<b>Improper emergency</b>		
2	<b>signal</b>	<b>66-3-853 through 66-3-857</b>	<b>10.00</b>
3	<b>Operation interference</b>	<b>66-7-357</b>	<b>5.00</b>
4	<b>Litterbugging</b>	<b>30-8-4</b>	<b>50.00</b>
5	<b>Litterbugging</b>	<b>30-8-10</b>	<b>100.00</b>
6	<b>Litterbugging</b>	<b>66-7-364</b>	<b>100.00</b>
7	<b>Improper parking</b>	<b>66-7-349 through</b>	
8		<b>66-7-352 and 66-7-353</b>	<b>5.00</b>
9	<b>Improper parking</b>	<b>66-7-352.5</b>	<b>50.00</b>
10	<b>Improper parking</b>	<b>66-3-852</b>	<b>5.00</b>
11	<b>Failure to dim lights</b>	<b>66-3-831</b>	<b>10.00</b>
12	<b>Riding in or towing</b>		
13	<b>occupied house trailer</b>	<b>66-7-366</b>	<b>5.00</b>
14	<b>Improper opening of doors</b>	<b>66-7-367</b>	<b>5.00</b>
15	<b>No slow-moving vehicle</b>		
16	<b>emblem or flashing</b>		
17	<b>amber light</b>	<b>66-3-887</b>	<b>5.00</b>
18	<b>Open container - first</b>		
19	<b>violation</b>	<b>66-8-138</b>	<b>25.00.</b>

20           B. The term "penalty assessment misdemeanor" does  
21 not include any violation that has caused or contributed to  
22 the cause of an accident resulting in injury or death to any  
23 person.

24           C. When an alleged violator of a penalty  
25 assessment misdemeanor elects to accept a notice to appear in

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1 lieu of a notice of penalty assessment, no fine imposed upon  
2 later conviction shall exceed the penalty assessment  
3 established for the particular penalty assessment misdemeanor  
4 and no probation imposed upon a suspended or deferred sentence  
5 shall exceed ninety days. "

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